



Atty. Dkt. No. 029318-0979

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Merisko-Liversidge, Elaine
Title: NOVEL NIFEDIPIINE COMPOSITIONS
Appl. No.: 10/712,259
Filing Date: 11/14/2003
Examiner: Channavajjala, Lakshmi Sarada
Art Unit: 1611
Confirmation No.: 8061

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated March 17, 2008, finally rejecting Claims 1, 3-15, 17, 18, and 24-39.

Applicant claims small entity status.

Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

Notice of Appeal Fee

To be paid as detailed below

Not required (Fee paid in prior appeal).

08/19/2008 SZEWDIE1 00000007 10712259

01 FC:1401
02 FC:1252

510.00 0P
460.00 0P

The required fees are calculated below:

<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$510.00
<input checked="" type="checkbox"/>	Extension for response filed within the second month:	\$460.00
<input type="checkbox"/>	Extension:	\$0.00
	FEE TOTAL:	\$970.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):	\$0.00
	TOTAL FEE:	\$970.00

A credit card payment form in the amount of \$970.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16, 1.17 and 41.20, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date Aug 18, 2008
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By Michele M. Simkin
 Michele M. Simkin
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